

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FREDDY M. MOROCHO, !
WALTER TACURE, on behalf of themselves !
and others similarly situated, !

Plaintiffs, !

GEORGE C. KELLY, and NYACK !
COLONIAL CAR WASH, INC., !

Defendants. !
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Case No. 07 Civ. 2979
(CLB) (MDF)

DECLARATION OF GEORGE KELLY

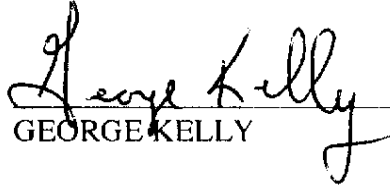
GEORGE KELLY hereby declares as follows:

1. I am the manager of the car wash owned and operated by Defendant Colonial Car Wash, Inc. ("Nyack Colonial") and a defendant in this action. I understand that, even though discovery has already been completed between the plaintiffs and the defendants in this action, the plaintiffs are attempting to amend the complaint and add new parties to this action, including GT Car Wash, Inc. ("GT"). I have personal knowledge of the information contained herein.

2. GT is a corporation run independently of Nyack Colonial. The two corporations operate two different car washes, in two different locations in two different states. They do not share management. They do not share revenue. They do not share liabilities. They do not share employees. None of the plaintiffs in this action have ever worked for GT, a fact I understand the plaintiffs themselves concede.

3. For these reasons, I ask that the plaintiffs' attempt to add GT, among others, as parties to this action, be denied.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
April 1, 2008.



GEORGE KELLY